

Housing Code issues are brought to the attention of Code Enforcement Officers in a number of ways –

- Through citizen complaints;
- From exterior inspections where reasonable cause exists to believe there may be housing code violations present;
- From a building being located within a target area of the City that was given priority by the Community Development Division; and
- Through random systematic inspections whenever time and resources allow.

The purpose of this brochure is to inform both landlords and tenants of the basic requirements of the City's Housing Code enforcement policies and procedures.

## **What a Landlord Must Provide**

New Hampshire Law, as well as the City's Housing Code, requires landlords to provide safe, sanitary housing for tenants. Dwellings do not meet these standards if one or more of the following is present:

1. Plumbing that does not work properly and/or lack of sanitary facilities;
2. Bad wiring such as exposed wires, the wrong connectors, bad switches or outlets;
3. Leaking roof or walls;
4. Falling plaster from walls or ceilings;
5. Large holes in floors, walls or ceilings;
6. Porches, stairs, or railings are not structurally sound;

7. Not enough trash barrels to store trash between collections;
8. No running water or no hot water;
9. Leaks in the gas lines and/or defective appliances supplied by the landlord;
10. Heating facilities are not safe, or do not adequately heat all livable rooms and bathrooms to an average temperature of at least 65 degrees;
11. Windows do not open, do not stay up when opened, and/or do not fit their frames properly;
12. Exterior doors are not weather tight;
13. Insects, mice or rats are present;
14. Smoke detectors do not operate.

## **Housing Code Complaints**

Code Enforcement requires that a tenant first inform the landlord in writing regarding any housing code issues they may have unless it is an emergency.

Emergencies such as lack of sanitary facilities, heat, hot water, or electricity should be reported to the landlord immediately. If you are not able to reach the landlord, or you have spoken with the landlord and there has been no response within a few hours, call Code Enforcement.

If you have housing code issues that are not emergencies, you must send your landlord a certified, dated letter listing the problems that you have with your apartment and requesting that the issues be resolved within two weeks. You must also send a copy of the letter to Code Enforcement. If the issues are then resolved you

do not need to take any further action. If the issues are not resolved within two weeks you must call Code Enforcement, refer to your letter and request an inspection.

## **When Code Enforcement Gets Involved**

Once Code Enforcement is called for an inspection, one or two things may take place. The Code Enforcement Officer may immediately call the landlord, rather than conduct an inspection right away, and request that the issues be resolved within a specific period of time. The Officer would then remain in touch with the tenant and/or landlord to make sure that repairs are made. Code Enforcement may also schedule an inspection of the apartment and request that the landlord be present during the inspection.

## **Inspections and the Enforcement Process**

During the inspection, the Code Enforcement Officer checks the conditions of the apartment in conjunction with the Nashua Housing Code. If there are violations, the Officer will give written and/or verbal notice of the violations to the landlord and require that repairs be made within a specific period of time. If the repairs are not made, formal written citations may be issued and repairs will be required within a shorter period of time. If repairs are still not made, Code Enforcement may prosecute the case in District Court and request that fines be imposed

and that administrative costs be reimbursed to the City. If the landlord has been previously prosecuted and the building continues to have serious ongoing housing code violations, Code Enforcement may condemn the building and order it vacated.



# Housing Code Enforcement<sup>1</sup> In Nashua NH

## Can You Be Evicted For Complaining?

You can not be evicted in retaliation for reporting housing code violations to Code Enforcement unless you have not paid your rent or you have willfully damaged the apartment. In addition, your rent cannot be raised or the terms of your tenancy cannot be substantially changed for reporting a violation. If any of these things happen within six (6) months of reporting a violation, it is presumed that such action is a reprisal against the tenant. This in itself is a violation of the Nashua Housing Code.

## Tenant Responsibilities

While it may seem that the landlord has the majority of the responsibilities regarding rental property maintenance, the tenant is not entirely excused. Tenants are required by the Nashua Housing Code to keep their apartments sanitary and free from the accumulation of trash/junk. They are also required to keep from overcrowding the apartment and from allowing the presence of rodents and insects (when the extent of the rodent and insect population is caused by, and limited to, the tenant's apartment alone).

## Where to find additional information

### Code Enforcement Department

City Hall, 2<sup>nd</sup> floor  
229 Main Street, PO Box 2019  
Nashua, New Hampshire 03061-2019  
(603) 589-3100

[www.ci.nashua.nh.us](http://www.ci.nashua.nh.us) or [www.gonashua.com](http://www.gonashua.com)

A free booklet on the  
Nashua Housing Code  
is available at City Hall

### Landlord/Tenant Laws RSA 540 and 540-A

These statutes are available in books at the Nashua Public Library. They are also available on-line at the New Hampshire State Government's web site at:

<http://webster.state.nh.us>

The purpose of the City of Nashua's Housing Code is to maintain minimum standards that are essential to make dwellings safe, sanitary and fit for human habitation.

It is also to prevent urban blight and to fix the specific responsibilities and duties of owners and occupants.



<sup>1</sup> This brochure is a general guide and is not all-inclusive. For more information please refer to the Nashua Revised Ordinances or contact Nashua Code Enforcement.